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PATENT

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sefton
 Application No.: 09/367,712 Group No.: 1616
 Filed: August 18, 1999 Examiner: B. Badio
 For: Tazarotene and Corticosteroid Treatment for Psoriasis

Assistant Commissioner for Patents
 Washington, D.C. 20231

TRANSMITTAL OF APPEAL BRIEF
 (PATENT APPLICATION—37 C.F.R. § 1.192)

1. Transmitted herewith, in triplicate, is the APPEAL BRIEF in this application, with respect to the Notice of Appeal filed on October 20, 2000.

NOTE: "Appellant must, within two months from the date of the notice of appeal under § 1.191 or within the time allowed for reply to the action from which the appeal was taken, if such time is later, file a brief in triplicate. . . " 37 C.F.R. § 1.192(a) (emphasis added).

2. STATUS OF APPLICANT

This application is on behalf of

- ☒ other than a small entity.
☐ a small entity.

A statement:

- ☐ is attached.
☐ was already filed.

3. FEE FOR FILING APPEAL BRIEF

Pursuant to 37 C.F.R. § 1.17(c), the fee for filing the Appeal Brief is:

- ☐ small entity \$155.00
☒ other than a small entity \$310.00

Appeal Brief fee due \$ 310.00

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

By AF,

Date:

January 8, 2001

Signature

Cynthia H. O'Donohue

(type or print name of person certifying)

(Transmittal of Appeal Brief [9-6.1]—page 1 of 3)

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01/16/2001 CUB11

02 FC:115

4. EXTENSION OF TERM

NOTE: The time periods set forth in 37 C.F.R. § 1.192(a) are subject to the provision of § 1.136 for patent applications. 37 C.F.R. § 1.191(d). See also Notice of November 5, 1985 (1060 O.G. 27).

NOTE: As the two-month period set in § 1.192(a) for filing an appeal brief is not subject to the six-month maximum period specified in 35 U.S.C. § 133, the period for filing an appeal brief may be extended up to seven months. 62 Fed. Reg. 53,131, at 53,156; 1203 O.G. 63, at 84 (Oct. 10, 1997).

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. § 1.136 (fees: 37 C.F.R. § 1.17(a)(1)-(5)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$ 195.00
<input type="checkbox"/> three months	\$ 890.00	\$ 445.00
<input type="checkbox"/> four months	\$ 1,390.00	\$ 695.00
<input type="checkbox"/> five months	\$ 1,890.00	\$ 945.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

or

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. TOTAL FEE DUE

The total fee due is:

Appeal brief fee \$ 310.00

Extension fee (if any) \$ 110.00

TOTAL FEE DUE \$ 420.00

(Transmittal of Appeal Brief [9-6.1]—page 2 of 3)

6. FEE PAYMENT

- ☐ Attached is a ☐ check ☐ money order in the amount of \$ _____
- ☒ Authorization is hereby made to charge the amount of \$ 420.00
- ☒ to Deposit Account No. 01-0885
- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

7. FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to change the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

- ☒ If any additional extension and/or fee is required,

AND/OR

- ☒ If any additional fee for claims is required, charge:

- ☒ Deposit Account No. 01-0885
- ☐ Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

Date: January 8, 2001

Reg. No.: 44,980

Customer No.:

C H O'Donohue
SIGNATURE OF PRACTITIONER

Cynthia H. O'Donohue
(type or print name of practitioner)

ALLERGAN, INC.
P.O. Address 2525 Dupont Drive
Irvine CA 92612-1599

(Transmittal of Appeal Brief [9-6.1]—page 3 of 3)

PATENT



Serial No.09/367,712
Docket No.17224(AP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SEFTON)	
)	Examiner: BADIO
Serial No.:	09/367,712)	
)	
Filed:	August 18, 1999)	
)	Group Art Unit:1616
For:	TAZAROTENE AND CORTICO-)	
	STERIOD TREATMENT FOR)	Date: January 8, 2001
	PSORIASIS)	
)	
)	

TRANSMITTAL SHEET

Box AF
Commissioner for Patents and Trademarks
Washington, D.C. 20231

Sir:

Transmitted herewith is an Appeal Brief in the above-identified application. Enclosed are:

- 1) Appeal Brief (10 pgs.)
- 2) Amendment (1 pg.)
- 3) Petition For Extension of Time - 1 mo. (1 pg.)/Transmittal of Appeal Brief (3 pgs.)
- 4) Return/Stamped Postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box AF, Commissioner of Patents, Washington, D.C. 20231 on

January 8, 2001
(Date of Deposit)

Cynthia H. O'Donohue
Name of person mailing correspondence

January 8, 2001
Date of Signature

Cynthia H. O'Donohue
Signature